THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.16789 of 2007

Dated:07.08.2007

Between:

Golla Ganga Ratnam, W/o.Siva Ranga Rao.

…Petitioner

and

The Revenue Divisional Officer,
Nuzivid, Krishna District,
and another.

…Respondents

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.16789 of 2007

ORDER:

The petitioner acquired an extent of Ac.0.95 cents of land in R.S.No.506/2 (new) situated at Veleru Village by virtue of a registered gift deed executed by her father-in-law on 04.03.2005. The second respondent, allegedly, after following necessary procedure contemplated under the Andhra Pradesh Assigned Lands (Prohibition of Transfers) Rules, 2007, passed an order on 03.07.2007 ordering resumption of the land to the Government for contravention of the provisions of Section 3(2) of the Andhra Pradesh Assigned Lands (Prohibition of Transfers) Act, 1977 (for short 'the Act'). Feeling aggrieved by the same, the petitioner preferred an appeal under Section 4-A of the Act before the first respondent, and also prayed for interim stay of the proceedings of the second respondent. By impugned order in Rc.A.1323/2007, dated 25.07.2007, the first respondent rejected the stay petition, aggrieved by which, the present Writ Petition is filed.

Except stating that the request of the petitioner for grant of stay cannot be considered, the first respondent did not give any reasons, much less, valid reasons. If ultimately, the petitioner succeeds in the appeal, and the land sought to be resumed is assigned to others, the petitioner would certainly suffer prejudice. Therefore, when the land in question allegedly is a private land at least from 1935, the first respondent ought to have applied his mind before rejecting the

application.

Therefore, it would be in the interests of justice to order *status quo* and also direct the first respondent to dispose of the appeal itself within a period of two weeks from the date of receipt of a copy of this order in accordance with law.

The Writ Petition, with the above observation and direction, is accordingly disposed of. No costs.

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(V.V.S.RAO, J)

07.08.2007
vs